

**REMARKS / DISCUSSION OF ISSUES**

The present amendment is submitted in response to the Final Office Action mailed October 21, 2010. In view of the amendments above and remarks to follow, reconsideration and allowance of this application are respectfully requested.

***Status of Claims***

Upon entry of the present amendment, claims 1, 2, 4-10, 14-16 and 18 will remain pending in this application. Claims 1, 14 and 18 have been amended. Applicants respectfully submit that no new matter is added by the present amendments.

***Interview Summary***

Applicants appreciate the courtesy granted to Applicant's attorney, Michael A. Scaturro (Reg. No. 51,356), during a telephonic interview conducted on Wednesday, December 8, 2010. During the telephonic interview, a proposed amendment to claim 1 made. The Examiner stated that while the proposed amendment clarified the claim it remains insufficient to overcome the cited art and suggested further amending the claim to more clearly recite the process being claimed. For example, when and how particular steps are invoked. No agreement was reached.

***Rejections under 35 U.S.C. §103(a)***

In the Office Action, Claims 1-2, 4-10, 14-16, and 18 were rejected under 35 U.S.C. §103(a) as being unpatentable over Shalit et al. (U.S. Patent No. 5,714,971) in view of Freeze, Internet Explorer 5, 1999. Applicants respectfully traverse the rejections.

In order to establish a *prima facie* case of obviousness, the cited prior art in combination must show all of the claimed limitations. M.P.E.P. §2141. Here, there are elements in independent claim 1, as amended, which are not shown even in a combination of the cited prior art.

The claims are directed to a system having a graphical user interface for navigating through content. The display includes a history panel provided in the top of the window, a

first menu of a content structure comprising one or more selectable items and a second menu for showing a sub-menu comprising a currently highlighted item of the first menu. The navigation history is updated with reference to the menu displayed in the first menu upon selection of an item in the first menu. Hereby, the navigation history panel is immediately updated and the navigation history is shown in the history panel. Furthermore, the first menu in the first panel may be replaced with the sub-menu previously shown in the second panel, upon selection of an item in the first panel. The sub-menu in the second panel may then be replaced with a sub-sub-menu of a currently highlighted item of the first sub-menu. In this way, navigation through a complex menu may be visualized by means of two static panels, i.e., panels in which the content is shifted but the panels remain on the screen. This allows for a simple two-panel navigation overview.

Therefore, the following limitations of independent claim 1, as amended, are not found even in a combination of the record. That is, Applicants' independent Claim 1 has been amended to recite features not disclosed or suggested by Shalit or Freeze, taken alone or in any proper combination. In particular, neither Shalit nor Freeze, taken alone or in any proper combination, disclose or suggest

a display having:

a history panel for displaying navigation history data, and

**two static panels, comprising**

at least a first static panel displaying a first menu of a content structure, the first menu including one or more selectable items;

at least a second static panel for displaying a first sub-menu of a currently highlighted item of the first menu,

**wherein the first menu in the first static panel is replaced with the first sub-menu of the second panel upon selection of said currently highlighted item of the first menu displayed in the first panel,**

**wherein the first sub-menu in the second static panel is replaced with a sub-sub-menu of a currently highlighted item of the first sub-menu upon selection of said currently highlighted item of the first sub-menu,**

wherein the navigation history data provides a reference for at least one of a number of selections in accordance with a plurality of criteria;

**wherein the navigation history data displayed in the history panel is updated with reference to the selection of items in the first static panel,**

wherein there exists at least one route for navigating through said content to

arrive at said at least the first static panel.

This language of claim 1 substantially incorporates the language of prior claims 2, 4 and 5, cancelled herein without prejudice or rejoinder and further incorporates claim language related to updating the navigation history data displayed in the history panel with reference to the selection of items in the first panel. The claim further incorporates claim language stating that the two panels are static panels in contrast to Shalit where a user invokes a horizontal and/or vertical split icon to split the screen into multiple panels.

In rejecting claims 2, 4 and 5, the Examiner points to Shalit at page 5 of the Office Action. Applicants respectfully submit that Shalit addresses and purports to solve a different problem, that of providing means to enable a user by clicking or dragging and dropping to open up in the existing or in a new, separate pane the contents of an item or object listed or displayed in an existing pane on the screen, regardless of the type of object. This reference neither addresses, much less shows Applicant's inventive solution of a system and method comprising a graphical user interface for navigating through content that provides a user with a general overview of the content and also of the current navigation process and/or overall navigation structure.

In the Office Action, the Examiner refers to FIG. 2D of Shalit for allegedly teaching the subject matter of claims 2, 4 and 5. Referring to Shalit, FIGS. 2A-2D comprise screen views showing various user interactions in accordance with one embodiment of the invention. FIG. 2A of Shalit shows a screen display 30 comprising, inter alia, a horizontal split-bar box or split-pane icon 38 provided at the left end of the horizontal scroll bar 35, and a vertical split-bar box or split-pane icon 39 is provided at the top end of the vertical scroll bar 34, the split-bar boxes functioning to split the window into old and new panes, or to split a pane into old and new sub-panes.. The window 30 shows a listing of four directory "objects" in the directory named "Leibniz". Two names are shown, with an icon 45 representing a text file, and two names are shown with an icon 44 representing a sub-directory, and with right-pointing triangles 46 indicating that the named object's contents are

not displayed.

In operation, a user by manipulating his mouse 18, points with his pointer cursor 20 to the third listed object in the window 30, named ARM Support and clicks on it. While holding down the mouse button, the user drags 47 (FIG. 2B) the file name to the horizontal split bar box 38 (FIG. 3B), and releases the mouse button. That action causes a routine to execute which forms in the original window 30 a first pane 50 with the contents of the original window 30, and creates a new second pane 51, both under the original top title bar 31. The contents of the second pane 51 is a display of the contents of the selected object, “*ARM Support*”, which is the title 59 in the second pane. The content displayed in the second window happens to be a further listing of text documents shown by name as indented under “*ARM Support*”. It is shown, therefore, that Shalit does not disclose the use of **two static panels** (windows), as recited in claim1. Instead, a new pane is created by dragging objects to the split bar box.

Applicants further submit that Shalit does not disclose or suggest a step of replacing the first menu in the first panel with the first sub-menu of the second panel upon selection of a highlighted item of the first menu. In other words, the content displayed in the new second pane 51 of Shalit is never transferred to the first pane upon selection of an item from the sub-menu being displayed in the second pane. Accordingly, Shalit does not disclose or suggest:

wherein the first menu in the first panel is replaced with the first sub-menu of the second panel upon selection of said currently highlighted item of the first menu displayed in the first panel,

wherein the first sub-menu in the second panel is replaced with a sub-sub- menu of a currently highlighted item of the first sub-menu upon selection of said currently highlighted item of the first sub-menu,

It is further submitted that Shalit does not disclose or suggest, updating the history

display data in the history panel with reference to the selection of items in the first panel. The only reference in Shalit to modifying title information is with respect to creating a title for labeling the new second pane 59 at the point of creation. However, this title is never updated to reflect further selections by a user in a navigational search. Instead, it merely displays a heading corresponding to the content item selected in the left panel 50 of FIGS. 2A-2D. Accordingly, Shalit does not disclose or suggest:

wherein the navigation history data displayed in the history panel is updated with reference to the selection of items in the first panel,

Independent Claims 14 and 18 include the same or similar limitations to those of Claim 1, and are allowable over the prior art of record for at least the same reasons presented above for the patentability of independent Claim 1.

Accordingly, the withdrawal of the rejection under 35 U.S.C. §103(a) with respect to Claims 1, 14, and 18 and allowance thereof are respectfully requested.

Dependent Claims 2, 4-10, and 13-16, are allowable over the prior art of record for at least the same reasons presented above for the patentability of independent Claims 1, 14, and 18. Accordingly, the withdrawal of the rejection under 35 U.S.C. §103(a) with respect to dependent Claims 2, 4-10, and 13-16, and allowance thereof are respectfully requested. Further, dependent Claims 2, 4-10, and 13-16 recite additional patentable features.

In view of the foregoing amendments and remarks, it is respectfully submitted that all Claims presently pending in the application, namely, Claims 1-2, 4-10, 14-16, and 18, are believed to be in condition for allowance.

### **Conclusion**

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 1-3 and 5-21 are believed to be in condition for allowance and patentably distinguishable over the art of record.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call Mike Belk, Esq., Intellectual Property Counsel, Philips Electronics North America, at 914-333-9643.

Respectfully submitted,



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